

SENATE BILL 2483
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 4, relative to persons with disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. As used in this act:

(1) The term "public entity" means:

(A) The state or a local government; and

(B) Any department, agency, special purpose district, or other instrumentality of the state or a local government.

(2) The term "qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provisions of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

SECTION 2. Subject to the provisions of this act, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

SECTION 3. The remedies, procedures, and rights set forth in title 4, chapter 21, part 3, shall be the remedies, procedures, and rights this act provides to any person alleging discrimination on the basis of disability in violation of Section 2.

SECTION 4. Not later than July 1, 2005, the human rights commission shall promulgate regulations in an accessible format that implement this act in accordance with title 4, chapter 5. The commission is authorized to employ public necessity rulemaking pursuant Section 4-5-209(a)(4).

SECTION 5. This act shall take effect on becoming a law for the purposes of rulemaking and for all other purposes July 1, 2005, the public welfare requiring it.